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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,047	12/11/2001	Michael David Uri	2067	4824

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10/09/2002

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EXAMINER

HANSEN, JAMES ORVILLE

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/016,047

Applicant(s)
URI

Examiner
James O. Hansen

Art Unit
3637



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 11, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 1 1/2 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Hurt [U.S. Patent No. 1,934,125]. Hurt (figures 1-4) teaches of a towel warmer and dryer cabinet comprising: a hollow cabinet having an open front side and laterally spaced side walls (fig. 1); a towel rod support frame (13's & 14's) having laterally spaced frame members positioned adjacent the lateral side walls of the cabinet (fig. 1); at least one towel support rod (15) extending between and supported by the frame members (via 14's); means (12) on the cabinet for mounting the support frame for movement of the at least one towel support rod through the open side of the cabinet between extended and retracted positions; and a means (combustion of gas for example - gas range) for supplying heated air current movement from within the cabinet forwardly through the open front side of the cabinet (when the door is open).

3. Claims 1 & 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Barnsteiner [U.S. Patent No. 2,225,762]. Barnsteiner (figures 1-11) teaches of a towel warmer and dryer cabinet comprising: a hollow cabinet having an open front side and laterally spaced side walls (fig. 1); a towel rod support frame (outer member of 24) having laterally spaced frame members

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positioned adjacent the lateral side walls of the cabinet (fig. 1); at least one towel support rod (an inner rod of member 24) extending between and supported by the frame members; and means (14 & 22 for example) on the cabinet for mounting the support frame for movement of the at least one towel support rod through the open side of the cabinet between extended and retracted positions; wherein, the support frame mounting means comprises a pair of towel rod support members (outer legs of 24 - in as much as applicant depicts this embodiment) supporting the at least one towel support rod between them, and track means (22) in the cabinet for slidably supporting the towel rod support member for rectilinear movement between extended and retracted positions.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Buschman [U.S. Patent No. 1,946,386]. Buschman (figures 1-5) teaches of a towel warmer and dryer cabinet comprising: a hollow cabinet having an open front side and laterally spaced side walls (figs. 1 & 3); a towel rod support frame (22) having laterally spaced frame members positioned adjacent the lateral side walls of the cabinet (partially depicted in fig. 3); at least one towel support rod (interior rods of 22) extending between and supported by the frame members; means (figs. 2-5) on the cabinet for mounting the support frame for movement of the at least one towel support rod through the open side of the cabinet between extended and retracted positions; and a means (cooking range for example) for supplying heated air current movement from within the cabinet forwardly through the open front side of the cabinet (when the door is open); wherein, the support frame mounting means comprises pivot means (50 & 52 for example) interengaging the

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support frame and the cabinet for moving the at least one towel support rod arcuately through the open front side of the cabinet between extended and retracted positions.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Klein and Ou describe drying centers. French publication 2332721 describes a cabinet with sliding rack.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 308-2168. **Fax numbers for Official Papers are as follows:**

Before Final (703) 872-9326 & After Final (703) 872-9327.

Any inquiry concerning this communication from the examiner should be directed to James O. Hansen whose telephone number is (703) 305-7414. Unofficial Papers can be faxed to the examiner directly via (703) 746-3659. Examiner Hansen can normally be reached Monday to Friday from 9:00 A.M. to 5:00 P.M. Eastern Time Zone.



James O. Hansen
Primary Examiner
Technology Center 3600

JOH
September 30, 2002